

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	09/852,906	BORAC, SILVIU	
	Examiner	Art Unit	
	Jason M. Repko	2628	

All Participants:

(1) Jason M. Repko.

(2) David Jacobs.

Status of Application: _____

(3) _____

(4) _____

Date of Interview: 8 September 2006

Time: 4:00 pm

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:

3-8, 11-15, and 17-21

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner pointed out that the pending claims are directed to non-statutory subject matter as they appear to be directed to a computer that solely calculates a mathematical formula. Specifically, the specification does not provide support for the "modules" to be interpreted as specialized hardware components, as they appear to be mathematical operations of a computer program that manipulates data. The descriptive portion of the specification defines an arrangement as a generic computer, and the "fine-to-coarse level mesh generator" process consists entirely of mathematical operations, never makes available the result of the operations, and does not cause a physical transformation. The specification states that the generic computer has a display and displays "graphical information"; however, it is never disclosed that displaying graphical information is part of or inherently follows from the operation of the "fine-to-coarse level mesh generator," as it is never disclosed that the generator does anything other than manipulate numbers. A computer that solely calculates a mathematical formula is not directed to patent eligible subject matter. Applicant's representative disagreed with the Examiner's assertions; however, in order to expedite prosecution, Applicant's representative authorized an Examiner's amendment to replace the claim preamble of the pending "arrangement" claims with the preamble of previously presented "computer program product" claims, clarify the claim language to explicitly recite that the claimed instructions are computer executable, and clarify the language of the specification to provide proper antecedent basis for the claim terminology.